

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

WILMINGTON TRUST, NATIONAL ASSOCIATION,  
as Successor Trustee to Citibank, N.A., as Trustee of  
Structured Asset Mortgage Investments II Trust 2007-AR3,  
Mortgage Pass-Through Certificates, Series 2007-AR3,

Plaintiff,

v.

CIV 14-0475 SCY/KBM

LAURENCE L. LEBRETON, and if married, JOHN DOE A.,  
(true name unknown), her spouse; and MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS, INC.,

Defendant.

**ORDER DENYING REQUEST FOR RECUSAL**

THIS MATTER is before the Court on the “Petition (sic) for Peremptory Challenge to Excuse” (*Doc. 9*) and “Declaration in Support” (*Doc. 10*). Insofar as those pro se documents could be construed as a request for recusal, they will be denied. Plaintiff sets forth no factual predicate in support of her conclusion that Magistrate Judge Yarbrough and I cannot be fair and impartial in this matter. “There is as much obligation for a judge not to recuse when there is no occasion for him to do so as there is for him to do so when there is. A judge should not recuse himself on unsupported, irrational, or highly tenuous speculation.” *Hinman v. Rogers*, 831 F.2d 937, 939 (10th Cir. 1987) (citations omitted).

**IT IS SO ORDERED.**

  
UNITED STATES CHIEF MAGISTRATE JUDGE